

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

VANCE C. MILLER

Plaintiff,

VS.

HENRY CUELLAR, in his capacity  
as The Secretary of State of  
Texas, and THE TEXAS STATE  
BOARD OF EDUCATION

Defendants.

§ CIVIL ACTION NO. 3-01CV1072-G

RDER

This three-judge court was convened to decide challenges to the validity under the new census figures of the present districting of the Texas State Board of Education. Various plans have been submitted, and the court has taken testimony at a hearing and considered all the briefs filed.

We are persuaded that the plan submitted by Vance C. Miller, referred to by the parties as the "Miller Plan," a copy of which is attached to the pretrial order filed in this case, should be adopted.

The "Miller Plan" meets all legal requirements. It does not dilute minority voting rights and preserves extant districts to the extent practicable. We were assisted in our task by the quality of all the plans, including plans submitted by State Board of Education member Dan Montgomery and Texas State Senator Robert Duncan. These plans had considerable merit and reflected careful thought and attention. They were most helpful in our task.

24

Ultimately, we are persuaded that the Miller Plan is to be preferred.

So Ordered and Signed this 5 day of October, 2001.

Patrick E. Higginbotham  
PATRICK E. HIGGINBOTHAM  
UNITED STATES CIRCUIT JUDGE

A. Joe Fish  
A. JOE FISH  
UNITED STATES DISTRICT JUDGE

Sam A. Lindsay  
SAM A. LINDSAY  
UNITED STATES DISTRICT JUDGE